

Serial No. 08/468,411

REMARKS

Status Of Application

Claims 20-22, 31-34, 37 and 40-51 were pending in the application; the status of the claims is as follows:

Claims 22 and 43 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention.

Claim 51 is rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 5,737,014 to Tojo et al ("Tojo").

Claims 31, 37 and 51 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 4,963,995 to Lang ("Lang") in view of U.S. Patent No. 5,034,804 to Sasaki et al ("Sasaki").

Claim 32 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lang in view of Sasaki as applied to claim 31 above, and further in view of U.S. Patent No. 5,032,927 to Watanabe et al ("Watanabe").

Claims 20-22, 33, 34 and 40-49 are allowed.

Claim Amendments

Claims 21, 22, and 44 have been amended to clarify the language and properly describe the invention in a manner that does not affect the scope of the claims. Specifically, in the present claims, the occurrence of "first" has been replaced with "second", and the occurrence of "second" has been replaced with "first". These changes are not necessitated by the prior art, are unrelated to the patentability of the invention over the prior art, and do not introduce any new matter.

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Allowable Subject Matter

The allowance of claims 20-22, 33, 34 and 40-49, by the Examiner, is noted with appreciation. Applicants respectfully point out that since independent claim 49 has been allowed, claim 50, which depends directly therefrom should also have been indicated as being allowed. Thus, Applicants assume that claim 50 is likewise allowed.

35 U.S.C. § 112 Rejection

The rejection of claims 22 and 43 under the first paragraph of 35 U.S.C. § 112, as allegedly containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention, is respectfully traversed based on the following.

Claims 22 and 43 have been amended to more closely correlate the terminology of the claims with that of the specification. Specifically, in the present claims, the occurrence of "first" has been replaced with "second", and the occurrence of "second" has been replaced with "first". These changes are not necessitated by the prior art, are unrelated to the patentability of the invention over the prior art, and do not introduce any new matter. It is now believed that claims 22 and 43 contain subject matter which is described in such a way as to enable one skilled in the art to which it pertains or with which it is most nearly connected, to make and use the invention.

Accordingly, it is respectfully requested that the rejection of claims 22 and 43 under the first paragraph of 35 U.S.C. § 112, as allegedly containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention, be reconsidered and withdrawn.

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35 U.S.C. § 102(e) Rejection

The rejection of claim 51 under 35 U.S.C. § 102(e), as allegedly being anticipated by Tojo, is respectfully traversed based on the following.

Claim 51 has been cancelled herein by this amendment. Thus, the rejection of claim 51 under 35 U.S.C. § 102(e), as allegedly being anticipated by Tojo, is moot.

35 U.S.C. § 103(a) Rejections

The rejection of claims 31, 37 and 51 under 35 U.S.C. § 103(a), as allegedly being unpatentable over Lang in view of Sasaki, is respectfully traversed based on the following.

Claims 31, 37, and 51 have been cancelled herein by this amendment. Thus, the rejection of claims 31, 37, and 51 under 35 U.S.C. § 103(a), as allegedly being unpatentable over Lang in view of Sasaki, is moot.

The rejection of claim 32 under 35 U.S.C. § 103(a), as allegedly being unpatentable over Lang in view of Sasaki as applied to claim 31 above, and further in view of Watanabe, is respectfully traversed based on the following.

Claim 32 has been cancelled herein by this amendment. Thus, the rejection of claim 32 under 35 U.S.C. § 103(a), as allegedly being unpatentable over Lang in view of Sasaki as applied to claim 31 above, and further in view of Watanabe, is moot.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims.

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Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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March 17, 2003

DAI 257362v3